

U.S.S.N. 09/724,872
HADLACZKY *et al.*
ELECTION

that in this instance, there is no burden on the Office, because a search should not be required.

This application is a continuation-in-part of U.S. application Serial No. 08/695,191, filed August 7, 1996, now U.S. Patent No. 6,025,155, to GYULA HADLACZKY and ALADAR SZALAY, entitled *ARTIFICIAL CHROMOSOMES, USES THEREOF AND METHODS FOR PREPARING ARTIFICIAL CHROMOSOMES*. This application is also continuation-in-part of U.S. application Serial No. 08/682,080, filed July 15, 1996, now U.S. Patent No. 6,077,697, to GYULA HADLACZKY and ALADAR SZALAY, entitled *ARTIFICIAL CHROMOSOMES, USES THEREOF AND METHODS FOR PREPARING ARTIFICIAL CHROMOSOMES*.

A review of the specification should reveal that the instant claims find basis in the parent applications, which have issued. The claims in the issued patents include claims directed to SATACs per se and to cells containing the SATACs and methods for producing gene products by introducing SATACs into cells. These claims are presumptively novel, unobvious and enabled.

Since SATACs are presumptively novel, unobvious and enabled and claims and methods involving the introduction of SATACs into cells, claims methods using the SATACs must be novel and unobvious, since the SATACs are novel and unobvious. The method claims in this case could have been rejoined in one of the parent applications. In addition, since claims involving the introduction of SATACs into cells and to cells containing SATACs have issued, claim 1 in this application must be novel and unobvious and enabled and therefore patentable.

Therefore, since no searching or minimal searching is in fact required, there can be no burden on the Office to examine all claims in this application.

Also, if the claims are divided as required by the Examiner, it will never be possible to get a generic claim such as claim 1 examined or issued. There are no reasons of record to establish that claim 1 should not be issued, particularly, since as noted above, it is presumptively novel, unobvious and enabled.

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In view of the above amendments and remarks, examination and allowance of the application are respectfully requested.

Respectfully submitted,
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